

Applicants : Gabriela Chiosis et al.  
U.S. Serial No. : Not Yet Known  
Filed : Herewith  
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#### REMARKS

This application is a continuation of U.S. Serial No. 09/938,746, filed August 23, 2001. U.S. Serial No. 09/938,746 has been allowed, but a patent has not issued as of the filing date of this continuation application. Accordingly, the parent application, U.S. Serial No. 09/938,746 is pending today and the subject continuation application is co-pending therewith in fulfillment of the provisions of 35 U.S.C. §120.

By this Preliminary Amendment, applicants have amended the specification on page 1 to insert the continuation data, canceled claims 1-82 and added new claims 83-89. Applicants maintain that the amendments made hereinabove do not raise any issue of new matter. Accordingly, applicants respectfully request entry of this Preliminary Amendment.

#### INFORMATION DISCLOSURE STATEMENT

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants would like to direct the Examiner's attention to the following documents which are listed on Form PTO-1449 (**Exhibit A**) and are also listed below:

This Information Disclosure Statement is being submitted pursuant to 37 C.F.R. §1.97(b)(3) before the mailing of a first Office Action on the merits. Thus, this Information Disclosure Statement should be entered and considered.

The subject application is a continuation of U.S. Serial No. 09/938,746, filed August 23, 2001. Copies of the documents listed below as items 1-41 have previously been submitted to, or cited by, the U.S. Patent Office in connection with U.S. Serial No. 09/938,746, which the subject application relies upon for an earlier filing date under 35 U.S.C. §120. Therefore, in

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accordance with 37 C.F.R. §1.98(d), copies of the previously submitted documents are not provided. A copy of reference 42 is enclosed as **Exhibit 1**.

1. United States Patent No. 3,067,099, issued to McCormick et al. on December 4, 1962;
2. United States Patent No. 4,322,343, issued to Denobo on March 30, 1982;
3. United States Patent No. 4,946,941, issued to Kondo et al. on August 7, 1990;
4. United States Patent No. 5,187,082, issued to Hamill and Yao on February 16, 1993;
5. United States Patent No. 5,312,738, issued to Hamill et al. on December 4, 1962;
6. United States Patent No. 6,037,447, issued to Stack and Thompson on March 14, 2000;
7. United States Patent No. 6,180,604, issued to Fraser et al. on January 30, 2001;
8. U.S. Serial No. 09/938,746 filed August 23, 2001 (Chiosis), including the claim set as allowed (**Exhibit 1**);
9. PCT International Application No. PCT/GB89/01279, filed October 26, 1989, International Publication No. WO 91/06566, published May 16, 1991;
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28. Nelson, R.R., *Journal of Hospital Infection*, **42**, 275-282 (1999);
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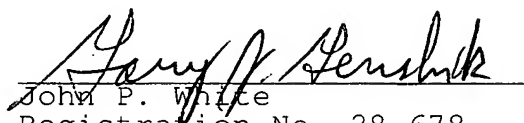
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Applicants request that the Examiner review the references and  
make them of record in the subject application.

If a telephone interview would be of assistance in advancing  
prosecution of the subject application, applicant's undersigned  
attorney invites the Examiner to telephone him at the number  
provided below.

No fee, other than the enclosed filing fee of \$385.00, is deemed  
necessary in connection with this Preliminary Amendment.  
However, if any additional fee is required, authorization is  
hereby given to charge the amount of such fee to Deposit Account  
No. 03-3125.

Respectfully submitted,

  
John P. White  
Registration No. 28,678  
Gary J. Gershik  
Registration No. 39,992  
Attorneys for Applicants  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400